

Title 4. Business Regulations

Division 18. California Gambling Control Commission

Chapter 7. Conditions of Operation for Gambling Establishments

Article 1. General Provisions

Section 12360. Chapter Definitions

The definitions in Business and Professions Code section 19805 govern the construction of this chapter. As used in this chapter:

(a) "Licensee" means "owner licensee" as defined in Business and Professions Code section 19805, subdivision (y).

(b) "Gambling area" means the area within a gambling establishment where controlled games or gaming activities are conducted.

(c) "Self-Exclusion" means an irrevocable voluntary agreement to be excluded from gambling establishments and all games or gaming activities or privileges and to be prohibited from collecting any winnings or recovering any losses for a specified term. A Self-Exclusion list shall be maintained by the Division and shall not be open to public inspection.

(d) "Self-Restriction" means an irrevocable voluntary agreement to be either:

(1) Completely excluded from a particular gambling establishment and all games or gaming activities or privileges and to be prohibited from collecting any winnings or recovering any losses for a specified term, or

(2) To have restrictions placed on the amount of credit and/or check cashing that may occur at that particular gambling establishment, and/or

(3) To be excluded from any marketing or promotional activities of the particular gambling establishment.

Authority: Sections 19811, 19823, 19840, 19841(o), and 19920~~Section 19840~~, Business and Professions Code

Reference: Section 19805, Business and Professions Code

1 **Article 3. Minimum Internal Control Standards for Gambling**
2 **Establishments (MICS)**

3 **12381. Extension of Credit, Check Cashing, and Automatic Teller**
4 **Machines (ATMs)**

5 **OPTION 1 for (a-b-c):** (a) A licensee may not extend credit.

6 **OPTION 2 for (a-b-c):**

7 (a) A licensee may extend credit to a patron if, prior to extending credit to
8 the patron, the licensee determines that an extension of credit is not
9 prohibited by any statute, law, regulation, or local ordinance. **In addition**
10 **to complying with all laws regarding the issuance of credit**, a licensee
11 that extends credit to a patron shall address, in policies and procedures,
12 the following requirements for the extending and collecting of credit:

13 (1) Establish a method for determining the maximum amount which will
14 be advanced to a patron.

15 (2) Prior to extending credit to a patron, ensure that the person
16 requesting the credit is positively identified by examining the patron's
17 valid driver's license or another acceptable method of identification.
18 In addition, ensure that one of the following has been met:

19 (A) Receipt of information from a bona fide credit-reporting agency
20 that the patron has an established credit history consistent with
21 approved credit policies.

22 (B) Examination of records of previous credit transactions with the
23 patron showing that the patron has paid substantially all credit
24 instruments and otherwise document that it has a reasonable
25 basis for extending the amount to the patron.

26 (3) An owner or designated key employee other than a dealer must
27 approve any credit application.

28 (b) For each patron that is issued credit, the following information shall be
29 collected and maintained:

30 (A) Patron's name, current address, and signature;

31 (B) A photocopy of picture identification, such as a driver's license
32 or passport;

33 (C) Basis upon which credit verified, as listed in subsection (a)(2);

34 (D) Documentation of authorization by a person designated by
35 management to approve credit;

- 1 (E) Authorized credit limit; and
- 2 (F) Credit balance outstanding and payments.
- 3 (c) If an extension of credit is delinquent for more than 90 days, the person
- 4 to whom credit was extended shall be prohibited from obtaining
- 5 additional credit until the amount owed is paid in full.
- 6 (d) No gambling enterprise employee may cash any check which is
- 7 prohibited by any statute, regulation, or ordinance, or any non-payroll
- 8 checks drawn against any federal, state, county, or other government
- 9 fund, including, but not limited to, social security, unemployment
- 10 insurance, disability payments, or public assistance payments, as
- 11 outlined in Business and Professions Code section 19841,
- 12 subdivision (q).
- 13 (e) A licensee that cashes checks for a patron shall not charge or collect a
- 14 fee exceeding \$2 for cashing a check for a patron.
- 15
- 16 **OPTION:** A licensee who does not deposit a patron's check within 15
- 17 days of receipt shall be considered to have extended credit to that
- 18 patron.
- 19 (f) A licensee that cashes checks for a patron shall address, in policies and
- 20 procedures, the following requirements for the cashing of checks:
- 21 (1) Prior to cashing a check for a patron, the cage cashier shall
- 22 determine that cashing such check is not prohibited;
- 23 (2) If personal checks, cashier's checks, or payroll checks are cashed,
- 24 the cage cashier shall examine and record at least one item of
- 25 personal identification, such as a valid driver's license number.
- 26 (3) Records of all returned checks shall be maintained by the accounting
- 27 department or owner and shall be available to the cashier. The
- 28 records shall include, at a minimum, the following:
- 29 (A) Date of the check.
- 30 (B) Name of the drawer of the check.
- 31 (C) Amount of the check.
- 32 (D) Date(s) the check was dishonored.
- 33 (E) Date(s) and amount(s) of any collection received on the check
- 34 after being returned by a bank.

1 (4) If a check is dishonored, the person who proffered the check shall be
2 prohibited from cashing additional checks until the amount owed is
3 paid in full.

4 (g) A licensed gambling establishment shall not have an ATM (automatic
5 teller machine or cash- or voucher- dispensing machine) in any
6 gambling area.

7 (h) ATMs shall be configured to reject Electronic Benefit Transfer cards
8 (EBTs) issued by the State of California or by any city, county, or city
9 and county therein.

10 Authority cited: Sections 19811, 19823, 19840, 19841(o) and (q), and 19920, Business and Professions
11 Code.

12 Reference: Sections 19801 and 19920, Business and Professions Code.

17 **Article 4. Accounting and Financial Reporting**

18 **12410. Unclaimed or Abandoned Property**

19 A licensee shall address, in policies and procedures, the following
20 requirements for unclaimed or abandoned property:

21 (a) Procedures shall be in place to record unclaimed chips, cash, and cash
22 equivalents left at a gaming table or in player's banks, uncashed checks
23 issued by the licensee to a patron, and uncashed checks drawn on a
24 licensee's account.

25 (b) If the identity of the owner of the unclaimed property described in
26 subsection (a) is known, procedures shall be in place to comply with
27 California's Unclaimed Property Law (Code Civ. Proc., section 1500 et
28 seq.).

29 (c) If the identity of the owner of the unclaimed property described in
30 subsection (a) cannot be determined, unclaimed or abandoned money
31 shall be sent to Office of Problem Gambling (or its successors).
32 Records of the date and amount sent shall be kept by the licensee.

33
34 Authority cited: Sections 19811, 19840, 19841(g), (h), and (j), and 19920, Business and Professions
35 Code.

36 Reference: Sections 19801 and 19841(g), (h), and (j), Business and Professions Code.
37 Section 4369.4, Welfare and Institutions Code.
38
39
40

Article 6. Program for Responsible Gambling

12461. Posting Referral Information

- (a) Each licensee, within 120 days of the effective date of this regulation, shall post or provide, at entrances or exits, and in conspicuous places in or near gambling areas and any areas where cash or credit are available to patrons, accessible written materials concerning the nature and symptoms of problem gambling and the toll-free number approved by the Office of Problem Gambling (or its successors) that provides information and referral services for problem gamblers, currently "1-800-GAMBLER".
- (b) If the licensee operates a web site for the gambling establishment, that web site shall contain a responsible gambling message and a link to the Office of Problem Gambling (or its successors) that provides information and referral services for problem gamblers, currently "<http://www.adp.ca.gov/OPG/OPGhome.shtml>".

Authority cited: Sections 19811, 19823, 19840, 19841(o), and 19920, Business and Professions Code.
Reference: Sections 19801 and 19920, Business and Professions Code.
Sections 4359.2 and 4369.4, Welfare and Institutions Code.

12462. Training Requirements

- (a) Each licensee shall implement, within 120 days of the effective date of this regulation, procedures to conduct new employee orientations and annual training for all employees who directly interact with gambling patrons in gambling areas.
- (b) New employee orientations and annual training shall be documented, including signatures by the employee and the licensee or key employee who coordinated the training, as part of the licensee's application for renewal. Copies of this documentation shall be kept in an employee's personnel file for a minimum of five years.
- (c) The training shall, at a minimum, consist of information concerning the nature and symptoms of problem gambling behavior, assisting patrons in obtaining information about problem gambling programs, and information on the self-restriction and self-exclusion programs.
- (d) Each licensee shall designate personnel responsible for maintaining the program and addressing the types and frequency of such training and procedures.

1 (e) This section shall not be construed to require employees to identify
2 problem gamblers.

3 Authority cited: Sections 19811, 19823, 19840, 19841(o), and 19920, Business and Professions Code.
4 Reference: Sections 19801 and 19920, Business and Professions Code.
5 Sections 4369.2 and 4369.4, Welfare and Institutions Code.

6 **12463. Self-Restriction Program**

7 (a) Licensees shall implement, within 120 days of the effective date of this
8 regulation, a program that allows patrons to self-limit their access to the
9 gambling establishment entirely, or to the issuance of credit, check
10 cashing, or marketing by that licensee. Such program shall contain, at a
11 minimum, the following:

12 (1) The development of written materials for dissemination to patrons
13 explaining the program;

14 (2) The development of written forms allowing patrons to participate in
15 the program, which may include use of a form entitled "Self-
16 Restriction Form" CGCC-036 (New 07-05), attached in Appendix A to
17 this Chapter;

18 (3) Standards and procedures for maintaining and updating a list of self-
19 restricted persons, wherein the confidentiality of the list is protected
20 and only agents or employees have access, unless needed by
21 Division staff or law enforcement pursuant to an investigation or in
22 assisting in a Problem Gambling program by an entity approved by
23 the Commission;

24 (4) Standards and procedures that allow a patron to be excluded from
25 the gambling establishment, with the exception of access for the sole
26 purpose of carrying out the duties of employment, including:

27 (A) Removal procedures for patrons who attempt entry after
28 requesting to be excluded,

29 (B) Notification to the Division of any incidents of removals, and

30 (C) Forfeiture of any money or prizes won or any losses recovered
31 by an excluded person and the remittance of such to the Office of
32 Problem Gambling (or its successors);

33 (5) Standards and procedures that allow a patron to be excluded from
34 access to check cashing or the issuance of credit;

35 (6) Standards and procedures that allow a patron to be excluded from
36 direct mail marketing, telephone marketing, and other direct

1 marketing regarding gaming opportunities or promotions at the
2 gambling establishment;

3 (7) Standards and procedures for removal of a patron from check-
4 cashing, credit, or marketing opportunities by the gambling
5 establishment.

6 (b) This section does not mandate that a gambling establishment provide
7 the services of a notary public for persons who wish to complete the
8 Self-Restriction form.

9 Authority cited: Sections 19811, 19823, 19840, 19841(o), and 19920, Business and Professions Code.
10 Reference: Sections 19801 and 19920, Business and Professions Code.
11 Section 4369.4, Welfare and Institutions Code.

12 **12464. Self-Exclusion Program.**

13 (a) Licensees shall implement, within 120 days of the effective date of
14 this regulation, a program that allows patrons to self-exclude
15 themselves from gambling establishments using a form entitled "Self-
16 Exclusion Form" CGCC-037 (New 07-05), attached in Appendix A to
17 this Chapter. Such program shall contain, at a minimum, the
18 following:

19 (1) Standards and procedures for providing Self-Exclusion forms and for
20 sending any completed Self-Exclusion forms to the Division;

21 (2) Standards and procedures for maintaining and updating a list of self-
22 excluded persons, wherein the confidentiality of the list is protected
23 and only agents or employees have access, unless needed by
24 Division staff or law enforcement pursuant to an investigation or in
25 assisting in a Problem Gambling program by an entity approved by
26 the Commission;

27 (3) Standards and procedures to ensure that self-excluded patrons, as
28 noticed by the Commission or Division, are not allowed on the
29 premises during the term of exclusion, with the exception of access
30 for the sole purpose of carrying out the duties of employment,
31 including removal procedures for patrons who attempt entry after
32 requesting to be excluded and notification to the Division of any
33 incidents of removals;

34 (4) Standards and procedures for the forfeiture of any money or prizes
35 won or any losses recovered by an excluded person and the
36 remittance of such to the Office of Problem Gambling (or its
37 successors);

1 (5) Standards and procedures for removal of a patron from direct mail
2 marketing, telephone marketing, and other direct marketing regarding
3 gaming opportunities or promotions at the gambling establishment;

4 (6) Standards and procedures for removal of a patron from check-
5 cashing, credit, or marketing opportunities by the gambling
6 establishment.

7 (b) This section does not mandate that a gambling establishment provide
8 the services of a notary public for persons who wish to complete the
9 Self-Exclusion form.

10 Authority cited: Sections 19811, 19823, 19840, 19841(o), and 19920, Business and Professions Code.
11 Reference: Sections 19801 and 19920, Business and Professions Code.
12 Section 4369.4, Welfare and Institutions Code.
13

14 **12465. Advertising**

15 Licensees shall ensure that any advertising or any marketing of games or
16 gaming activities:

17 (a) Contains a responsible gambling message;

18 (b) Follows a code of conduct that is at least as strict as the American
19 Gaming Association's Code of Conduct for Responsible Gaming;

20 (c) Makes no false or misleading claims; and

21 (d) Does not specifically appeal to minors.

22 Authority cited: Sections 19811, 19823, 19840, 19841(f) and (o), and 19920, Business and Professions
23 Code.

24 Reference: Sections 19801 and 19920, Business and Professions Code.
25 Section 4369.4, Welfare and Institutions Code.

26 **12466. Responsible Gambling Program Review**

27 (a) The Executive Director or Division staff may require that any licensee
28 make available for review or submit any of the elements of its program
29 described in this Article, to the Executive Director or Division staff for
30 review. If the Commission makes an administrative determination that
31 the licensee's program does not adequately address the standards as
32 set forth in this Article, then the Executive Director may issue such a
33 determination identifying the deficiencies and specifying a time certain
34 within which those deficiencies shall be cured.

35 (b) Failure by a licensee to establish the programs set forth in this Article, or
36 to cure a deficiency identified pursuant to subsection (a), constitutes an
37 unsuitable method of operation and is in violation of this section.

1 (c) In addition to any other remedy under the Gambling Control Act, the
2 Commission may assess a monetary penalty not exceeding \$1,000 for
3 violation of this section. This section does not create any right or cause
4 of action on behalf of an individual who participates in self-restriction or
5 self-exclusion under this Article against the state of California, the
6 California Gambling Control Commission, the Division of Gambling
7 Control, or a gambling establishment.
8

9 Authority cited: Sections 19811, 19823, 19840, 19841(o), and 19920, Business and Professions Code.

10 Reference: Sections 19801 and 19920, Business and Professions Code.

11 Section 4369.4, Welfare and Institutions Code.
12



SELF-RESTRICTION FORM

Type or print (in ink) all information requested on this form.

If additional space is needed, please note response on a separate sheet of paper and attach to the form.

SECTION 1: PERSONAL INFORMATION

Full Legal Name:

First	Middle (if applicable)	Last

Other Names (Former Names (such as Maiden names), Nicknames, or Aliases / A.K.A.'s):

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Home Address:

Street	City	State	Zip Code

Mailing Address (if different than Home Address):

Street	City	State	Zip Code

Home Telephone Number:

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Business Number:

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Games most often played:

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SECTION 2: RESTRICTION FOR _____ (Name of Cardroom or participating gambling facility)

TOTAL EXCLUSION: Initial Appropriate Term: One Year _____ Five Years _____ Lifetime _____

Please delete me from any MARKETING or PROMOTIONAL information: ☐

Please restrict me from any CHECK-CASHING privileges: ☐ Or Limit as follows: _____

Please restrict me from any CREDIT : ☐ Or Limit as follows: _____

SECTION 3: PHOTO AND VISUAL DESCRIPTION

Gender: Male ☐ Female ☐ Date of Birth: _____ / _____ / _____ Race/Ethnicity: _____

Height: _____ Weight: _____ Hair Color/Type: _____ Eye Color: _____

Date of Photograph: _____ / _____ / _____ CA Drivers License: _____

Distinguishing marks (such as visible scars or tattoos – describe mark & location):

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Type of car normally driven (if any):

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License Plate (if any):

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AFFIX A RECENT
PASSPORT QUALITY
PHOTOGRAPH
HERE SHOWING
HEAD AND SHOULDERS OF
PERSON TO BE EXCLUDED

SECTION 4: DECLARATION

I understand English or have had an interpreter read and explain this form to me.

I understand that the ultimate responsibility to limit my access to the Gambling Establishment or participating gambling facility or gaming services in the State of California remains mine alone.

I voluntarily seek to exclude or restrict myself as indicated in Section 2 above.

If I choose Total Exclusion:

- I agree that I will not attempt to enter and/or use any of the services or privileges of a California Gambling Establishment or participating gambling facility during the period checked in Section 2 above.
- I acknowledge and understand that should I attempt to enter a California Gambling Establishment or participating gambling facility or use the services of a Gambling Establishment or participating gambling facility during the Term of Exclusion, once identified, I shall be escorted from the Gambling Establishment or participating gambling facility and any winnings or prizes I may have accrued or losses recovered will be confiscated and donated by the Gambling Establishment or participating gambling facility to the Office of Problem Gambling.
- This self-exclusion request is **irrevocable** during the time period checked in Section 2 above.

I understand that, while the information I have provided above will be treated as confidential, disclosure of certain information is necessary to effect my request for self-exclusion or restriction. Disclosure may also occur if needed for the conduct of an official investigation or if ordered by a court of competent jurisdiction.

I will not seek to hold the Gambling Establishment or participating gambling facility liable in any way should I enter a Gambling Establishment or participating gambling facility and/or use any of the services or privileges therein despite this exclusion/restriction request, and I agree to indemnify the State of California, the California Gambling Control Commission, and the Division of Gambling Control for any liability relating to this request. Specifically, I for myself, my heirs, executors, administrators, successors, and assigns, hereby release and forever discharge the California Gambling Control Commission, the Division of Gambling Control, the Gambling Establishment, participating gambling facility, their agents, employees, officers, and Directors and those with whom they may lawfully share information regarding this exclusion (collectively, the "Released Parties") from any and all claims in law or equity that I now have, or may have in the future, against all or any of all of the Released Parties arising out of, or by reason of, the performance or non-performance of this self-exclusion/restriction request, or any matter relating thereto. I further agree, in consideration for the Released Parties' efforts to implement my exclusion or restriction, to indemnify and hold harmless the Released Parties to fullest extent permitted by law for any and all liabilities, judgments, damages, and expenses of any kind, including reasonable attorneys' fees, resulting from or in connection with the performance or non-performance of the self-exclusion/restriction requested herein.

I declare under penalty of perjury under the laws of the State of California that the foregoing information, and all information submitted with this self-restriction form is true, correct, and complete.

Signature: _____

Print Name:

Date:

/ /

SECTION 5: NOTARIZATION

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20_____,

by _____, ☐ personally known to me OR ☐ proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Notary Public Seal:

Signature _____

My Commission expires on:

/ /



SELF-EXCLUSION FORM

Type or print (in ink) all information requested on this form.

If additional space is needed, please note response on a separate sheet of paper and attach to the form.

You may hand this completed form in to any Cardroom, to the Division of Gambling Control, or the California Gambling Control Commission. Or you may mail this completed form to: **Division of Gambling Control, P.O. Box 168024, Sacramento, CA 95816.**

SECTION 1: PERSONAL INFORMATION

Full Legal Name:

First	Middle (if applicable)	Last

Other Names (Former Names (such as Maiden names), Nicknames, or Aliases / A.K.A.'s):

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Home Address:

Street	City	State	Zip Code

Mailing Address (if different than Home Address):

Street	City	State	Zip Code

Home Telephone Number:

()

Business Number:

()

Games most often played:

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SECTION 2: TERM OF EXCLUSION

Please Initial Appropriate Term: One Year _____ Five Years _____ Lifetime _____

SECTION 3: PHOTO AND VISUAL DESCRIPTION

Gender: Male ☐ Female ☐ Date of Birth:

/	/
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 Race/Ethnicity:

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Height:

--

 Weight:

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 Hair Color/Type:

--

 Eye Color:

--

Date of Photograph:

/	/
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 CA Drivers License:

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Distinguishing marks (such as visible scars or tattoos – describe mark & location):

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AFFIX A RECENT
PASSPORT QUALITY
PHOTOGRAPH
HERE SHOWING
HEAD AND SHOULDERS OF
PERSON TO BE EXCLUDED

Type of car normally driven (if any):

--

License Plate (if any):

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SECTION 4: DECLARATION

I understand English or have had an interpreter read and explain this form to me from _____.
(language)

I voluntarily seek to exclude myself as described checked in Section 2 above.

I agree that I will not attempt to enter and/or use any of the services or privileges of a California Gambling Establishment or participating gambling facility during the period checked in Section 2 above.

I acknowledge and understand that should I attempt to enter a California Gambling Establishment or participating gambling facility or use the services of a Gambling Establishment or participating gambling facility during the Term of Exclusion, once identified, I shall be escorted from the Gambling Establishment or participating gambling facility and any winnings or prizes I may have accrued or losses recovered will be confiscated and donated by the Gambling Establishment or participating gambling facility to the Office of Problem Gambling.

I understand that the ultimate responsibility to limit my access to the Gambling Establishment or participating gambling facility or gaming services in the State of California remains mine alone.

This self-exclusion request is **irrevocable** during the time period checked in Section 2 above.

I understand that, while the information I have provided above will be treated as confidential, disclosure of certain information is necessary to effect my request for self-exclusion. Disclosure may also occur if needed for the conduct of an official investigation or if ordered by a court of competent jurisdiction.

I will not seek to hold the Gambling Establishment or participating gambling facility liable in any way should I enter a Gambling Establishment or participating gambling facility and/or use any of the services or privileges therein despite this exclusion request, and I agree to indemnify the State of California, the California Gambling Control Commission, and the Division of Gambling Control for any liability relating to this request. Specifically, I for myself, my heirs, executors, administrators, successors, and assigns, hereby release and forever discharge the California Gambling Control Commission, the Division of Gambling Control, the Gambling Establishment or participating gambling facility, their agents, employees, officers, and Directors and those with whom they may lawfully share information regarding this exclusion (collectively, the "Released Parties") from any and all claims in law or equity that I now have, or may have in the future, against all or any of all of the Released Parties arising out of, or by reason of, the performance or non-performance of this self-exclusion request, or any matter relating thereto. I further agree, in consideration for the Released Parties' efforts to implement my exclusion, to indemnify and hold harmless the Released Parties to fullest extent permitted by law for any and all liabilities, judgments, damages, and expenses of any kind, including reasonable attorneys' fees, resulting from or in connection with the performance or non-performance of the self-exclusion requested herein.

I declare under penalty of perjury under the laws of the State of California that the foregoing information, and all information submitted with this self-exclusion form is true, correct, and complete.

Signature: _____

Print Name:

Date:

/

SECTION 5: NOTARIZATION

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20_____,

by _____, ☐ personally known to me OR ☐ proved to me on the basis of
satisfactory evidence to be the person who appeared before me.

Notary Public Seal:

Signature _____

My Commission expires on:

/